



#4
JC01 Recd PCT/PTO 10 AUG 2005 CT

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86326

Hiroshi FUKUSHIMA, *et al.*

Appln. No.: 10/525,748 ✓

Group Art Unit: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: February 25, 2005

For: BENZENESULFONATE SALTS OF 4-FLUORO-2-CYANOPYRROLIDINE
DERIVATIVES

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee

under 37 C.F.R. § 1.17(p) is required. Nevertheless, since a Statement can be made, one is being filed herewith.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of an Office Action from the Japanese Patent Office issued in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The first reference cited in the Official Action, WO 02/038541, is not submitted herewith since it was cited on the International Search Report, which was filed on February 25, 2005.

In addition to the references listed in the Office Action, submitted herewith are corresponding English language references.

JP-A-2000-198784 corresponds to EP 0949260A1.

JP-A-2002-531459 corresponds to WO 00/32607.

JP-A-62-240660 corresponds to GB 2188630A.

JP-A-58-201792 corresponds to EP 0092968A1.

Also attached is an English language abstract for each Japanese reference.

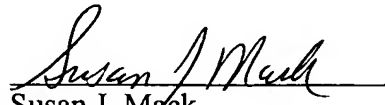
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Information Disclosure Statement
U.S. Application No. 10/525,748

Q86326

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Susan J. Mack
Registration No. 30,951

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 10, 2005



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86326

Hiroshi FUKUSHIMA, *et al.*

Appln. No.: 10/525,748

Group Art Unit: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Examiner: Not Yet Assigned

Filed: February 25, 2005

For: BENZENESULFONATE SALTS OF 4-FLUORO-2-CYANOPYRROLIDINE
DERIVATIVES

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

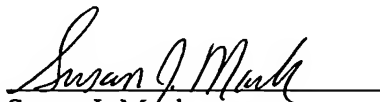
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860


Susan J. Mack
Registration No. 30,951

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 10, 2005

Substitute for Form 1449 A & B/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Application Number	10/525,748
Confirmation Number	Not Yet Assigned
Filing Date	February 25, 2005
First Named Inventor	Hiroshi FUKUSHIMA
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	Q86326

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		JP	2000-198784	A	07-18-2000	Ube Ind., Ltd., Tanabe Seiyaku Co. and Ube Kosan KK	Abstract
		EP	0 949 260	A1	10-13-1999	Ube Industries and Tanabe Seiyaku Co., Ltd.	
		JP	2002-531459	A	09-24-2002	Merck & Co., Inc.	Abstract
		WO	00/32607	A1	06-08-2000	Merck & Co., Inc.	
		JP	62-240660	A	10-21-1987	Pfizer, Ltd.	Abstract
		GB	2 188 630	A	10-07-1987	Pfizer, Ltd.	
		JP	58-201792	A	11-24-1983	Pfizer, Inc.	Abstract
		EP	0 092 968	A1	11-02-1983	Pfizer, Inc.	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.